

HOUSE No. 1371

By Mr. Broadhurst of Methuen, petition of Arthur J. Broadhurst and others relative to establishing a fund to assist homeowners in the removal of hazardous materials. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

PETITION OF:

Arthur J. Broadhurst, Jr. John W. Scibak
Steven A. Baddour

In the Year Two Thousand and Five.

AN ACT ESTABLISHING A FUND TO ASSIST CERTAIN HOMEOWNERS TO
CLEANUP HAZARDOUS MATERIALS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 21E of the General Laws, as appearing in the 2002
2 Official Edition, is hereby amended by adding the following
3 section:—

4 Section 20. There is hereby established, subject to appropria-
5 tion, a fund to assist certain owners of residential property for the
6 cleanup and removal of hazardous material, as defined in
7 section 2 of chapter 21E.

8 Said funds shall be available to owner-occupants of residential
9 property which has been constructed on land containing hazardous
10 materials which was purchased from a seller who has become
11 insolvent and is placed under a final order of arrangement, bank-
12 ruptcy, liquidation, conservation or rehabilitation by a court of
13 competent jurisdiction; or is finally adjudicated to be bankrupt or
14 insolvent by a court of competent jurisdiction; or certifies to the
15 department in writing under the pains and penalties of perjury that
16 it is insolvent and is found to be insolvent by the department. Said
17 funds shall be in an amount necessary for the removal and cleanup
18 of the property and other activities as the department may deem
19 necessary.

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